

## REMARKS

Applicant expresses appreciation to the Examiner for consideration of the subject patent application. This amendment is in response to the Final Office Action mailed September 26, 2005. Claims 1, 3, 11-12, and 19-20 were rejected. The claims have been amended to address the concerns raised by the Examiner.

Claims 1-20 were originally presented. Claims 1, 3, 11-12, and 19-20 remain in the application. Claims 2, 4-10, and 13-18 have been withdrawn as being directed to a nonelected species. By this amendment, new claims 21-23 have been added. No new subject matter has been added.

### **Claim Rejections - 35 U.S.C. § 102**

Claims 1, 3, 11-12, and 19-20 (including independent claims 1, 11 and 19) were rejected under 35 U.S.C. § 102(b) as being anticipated by US Pat. No. 1,103,839 to Rellay. The following remarks will refer specifically to independent claims 1, 11 and 19, with the understanding that upon allowance of an independent claim, all dependent claims related thereto will also be allowable.

The Applicant has amended independent claims 1 and 19 to include the language presented in original claim 11, which specifies that the ramp block is “fixedly attached *within* the smaller tube section.” “Within” means “on the inside.” Webster’s New Twentieth Century Dictionary, 2101 (Prentice Hall Press, 1983). The Examiner’s rejections suggest that the Examiner has not appreciated this distinction.

Rellay does not disclose a ramp block that is fixedly attached *within* a smaller tube section. In the Rellay reference the two “jaws” 13 and 15 both extend *through* the walls of the smaller tube section and frictionally engage the outer tube section. This difference in structure leads directly to the difference in function that the Applicant claims. The disclosure of Rellay specifically states that “when the jaw 15 is lowered, along the face of the jaw 13, the outer faces of the two jaws will be crowded against the inner wall of the standard 3, *locking it against movement either up or down.*” Rellay, Col. 2 ln. 82-87 (emphasis added). The device of Rellay prevents all movement when the jaws are in a locked position precisely because both jaws press against the walls of the larger tube. In other words, the function of Rellay is to lock the outer

tube section against all movement of the smaller tube section, and this function is the result of both jaws extending through the smaller tube section, rather than being affixed within this tube section.

The Applicant's claims, on the other hand, specify that the release mechanism is "configured to release the clamping assembly when . . . the smaller tube section is pulled in a direction to extend it from the tube section" (Claim 1). This is possible because the ramp block is affixed *within* the smaller tube section, and therefore moves with the smaller tube. Thus, when a user pulls on the smaller tube section, the ramp block moves with the tube section in a direction that releases the wedge action of the ramp surfaces because the ramp block is affixed within the smaller tube section. In the Rellay reference, in contrast, an extending force upon the smaller tube section will not affect the engagement of the jaws because both jaws are frictionally engaged against the outer tube section.

To emphasize this structural distinction between Rellay and the present invention, the Applicant has added new claims 21-23, which correspond to claims 1, 11 and 19, but include the slightly different limitation that the ramp block is "fixedly attached to and enclosed within" the smaller tube section. The Applicant believes that this language merely amplifies the meaning and intent of the language "fixedly attached within," but presents these claims in case the Examiner prefers this language.

The Applicant respectfully submits that independent claims 1, 11 and 19 as now presented are in condition for allowance over the cited art, and urges the Examiner to withdraw the rejections. The Applicant also submits that dependent claims 3, 12, and 20 are allowable as being dependent upon an allowable base claim, and new claims 21-23 are allowable for the same reasons as presented above with respect to claims 1, 11 and 19.

## **CONCLUSION**

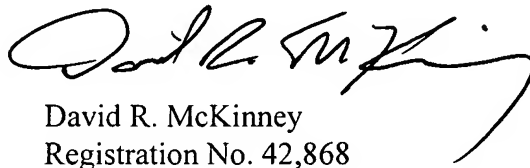
In light of the above, Applicant respectfully submits that pending claims 1, 3, 11-12, and 19-23 are now in condition for allowance. Moreover, because independent claims 1, 11 and 19 are generic, the Applicant submits that species claims 2, 4-10, and 13-18 are also allowable as being dependent upon an allowable generic claim. Therefore, Applicant requests that the

rejections and objections be withdrawn, and that claims 1-23 as now presented be allowed and passed to issue.

If any impediment to the allowance of these claims remains after entry of this Amendment, the Examiner is strongly encouraged to call the undersigned at (801) 746-8500 so that such matters may be resolved as expeditiously as possible.

DATED this 28 day of November, 2005.

Respectfully submitted,



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